

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: J.D. Tobiason et al. Attorney Docket No.: MEIP122171
Application No.: 10/815,893 Art Unit: 2877 / Confirmation No.: 9092
Filed: March 31, 2004 Examiner: T.T. Ton
Title: SCALE FOR USE WITH A TRANSLATION AND ORIENTATION
SENSING SYSTEM

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

TO THE COMMISSIONER FOR PATENTS:

Mitutoyo Corporation, a Japanese corporation, having a principal place of business at 20-1, Sakado 1-Chome, Takatsu-Ku, Kawasaki-Shi, Kanagawa-Ken, 213-0012, Japan, represents that it is the owner of the entire right, title, and interest in the above-identified patent application by an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 014581, Frame 0013.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, and as presently shortened by any terminal disclaimer of prior U.S. Patent No. 7,075,097, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 7,075,097, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

The owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent No. 7,075,097 in the event that said prior U.S. Patent No. 7,075,097 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Please charge the sum of \$130 for the terminal disclaimer fee under 37 C.F.R. § 1.20(d) to Deposit Account No. 03-1740.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Mitutoyo Corporation

Date

September 4, 2007



Name: Shoko I. Leek
Registration No. 43,746
Title: Attorney of Record

SIL:cg

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100